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June 14, 2013

VIA ECF

The Honorable Katharine S. Hayden, U.S.D.J.
U.S. District Court, District of New Jersey
Frank R. Lautenberg U.S. P.O. & Cthse.
Room 311
Newark, NJ 07101-0999

Re: C.R. Bard, Inc. v. Lexington Insurance Company
Civil Action No. 12-50 (KSH) (PS)

Dear Judge Hayden:

We represent plaintiff CR Bard. Pursuant to an order dated March 19, 2013, Your Honor stayed this case in order to give the parties the opportunity to discuss settlement. The stay concludes on June 15, 2013 and the parties are given the right to reinstitute the case by submitting a letter to the court by that date. We are pleased to report that the parties have executed a detailed settlement term sheet and have negotiated a formal settlement agreement. Only a very small number of issues need to be finally resolved regarding the specific proofs to be submitted by Bard relating to Lexington in connection with exhaustion of underlying limits and ongoing claims expenses. We expect that these issues will be resolved very shortly and that a formal settlement agreement will be executed soon thereafter. However, it does not appear that we will have a signed formal agreement by June 15, and we ask that Your Honor extend that deadline by two weeks. Defendant Lexington has no objection to this request.

Respectfully submitted,

Robert J. Rohrberger

Cc: All Counsel of Record (Via ECF)